

### REMARKS/ARGUMENTS

Claims 1-23 are pending in this application. Claims 1-23 stand rejected. In view of the following remarks, reconsideration and allowance of all pending claims are respectfully requested.

#### **Objection to the Abstract**

As discussed in the Examiner's interview, the Examiner agreed that the Abstract is to be used in determining the nature of the disclosure, rather than the invention. Accordingly, Applicants have amended the Abstract so that the United States Patent and Trademark Office and the public generally can more quickly determine from a cursory inspection the nature and gist of the technical disclosure. Support for the amendment is found, for example, in page 5, column 27 through page 6, line 18. Applicants request removal of the objection.

#### **Objection to the Specification**

The Office Action stated that the submission of the compact disc was defective. Applicants have resubmitted the compact disk in accordance with 37 CFR 1.96 with files in ".txt" format, which Applicants believe to be in ASCII format. Additionally two labeled disks have been submitted using plastic covers. Applicants believe the objection to the amended specification should be removed.

#### **Claim Rejections under 35 U.S.C. § 102(b)**

The Office Action rejected claims 1-15 under 35 USC 102 (b) as being clearly anticipated by CWRU (Case Western Reserve University, "Introduction to HTML," Case Western Reserve

University and Eric A Meyer, March 4, 2000, last downloaded by the Examiner on December 21, 2005, from: [web.archive.org/web/20000304042655/http://www.cwru.edu/help/introHTML/toc.html](http://web.archive.org/web/20000304042655/http://www.cwru.edu/help/introHTML/toc.html), downloaded pages 1-157). In the response to applicants' previous arguments, the Office Action asserts the reference (pages 1 and 2) teaches mapping the properties of the list into a markup language, such as HTML, and inherently stored. The cited art is merely a tutorial for humans to hand-code lists in HTML and teaches away from the recited invention because HTML is a widely-used ML where lists are constrained by the predefined facility of HTML for programming lists.

With respect to claim 1, the claim has been amended to include internally representing an application document in an application, wherein the internal representation is in a format that is native to the application and the internal representation comprises unique properties for describing lists of data within the document, wherein the unique properties are defined by the application. Thus new features and properties can be added to the application used to author the document by enhancing the internal representation. By storing the document with the properties described in an ML, other applications (of other native MLs) can read the document to the extent they can understand the ML generated by the authoring application.

Accordingly, the recited invention of claim 1 (for example) can allow applications having native MLs to correctly render lists that are authored by an application having a different native ML (see page 6, line 1 of the specification). If the application (having a different native ML) cannot render the list using the stored properties, the contents of the list can still be rendered in a rudimentary fashion, albeit without the benefit of all of the stored properties, and without parsing

errors encountered from using properties not defined in the ML. As discussed above, the cited art does not teach or suggest mapping unique application properties of a list to a markup language, but rather merely describes how to generate lists within HTML. Thus, the cited art does not show a computer-implemented method for representing list information in a markup language document.

Also in the response to applicants' previous arguments, the Office Action asserts the reference teaches determining properties corresponding to a list that the limitation of "determined" as recited in claim 1, and suggests that this recitation of claim is read as merely identifying the list as bulleted, numbered, etc. Applicants note that the specification (page 20, lines 18-23) discusses determining list information, and that the list information may include many different types of lists, including those that are not natively supported by later applications parsing the document.

The action further states that the cited art describes that the list is "determined" in that the type of list is registered as such in the HTML code and is capable of being reproduced as being unordered or ordered, numbered or bulleted, in accordance with the means for determining and storing such information and the HTML document. However, this teaches away from the claim as a whole because the list properties are determined (for the purpose of rendering the list) after the HTML document has been stored and retrieved, as opposed to determining the list properties of an application document as recited in claim 1. Moreover, the claim recites mapping the properties of the list into at least one of a markup language element, an attribute, and/or a value; and storing the properties of the list in the markup language document. Thus, since the

properties of the cited art are determined from the HTML document, they are not mapped and stored to an HTML document as recited above. Accordingly, independent claim 1 is believed to be allowable.

Claim 2 was rejected because CWRU allegedly teaches “picture bulleted lists.” Claim 2 is believed to be allowable for at least the reasons given above for claim 1. In addition, applicants traverse the rejection because CWRU fails to teach or suggest mapping the determined properties into a specified element and attribute for storing picture bullet image information and identifier. Instead, CWRU teaches how to code, for example, using the <UL> tag in HTML. (CWRU, pages 60-64.) This is significant because CWRU does not map properties of a determined list into a ML, but merely interprets the list information. Accordingly, claim 2 is believed to be allowable.

Claim 3 was rejected because CWRU allegedly teaches “picture bullet images and having elements but no attributes,” and “elements and attributes, but with standard bullets.” Claim 3 is believed to be allowable for at least the reasons given above for claim 2. Accordingly, claim 3 is believed to be allowable.

Claim 4 was rejected because CWRU allegedly teaches adding “new list material to days of the week list.” Claim 4 is believed to be allowable for at least the reasons given above for claim 1. As stated above with respect to claim 1, the asserted reference fails to perform mapping. In addition, the Office Action states the only properties determined in claim 1, is whether the list is bulleted or not. Applicants traverse this assertion because the specification, as

discussed above, clearly teaches determining the list information that “may include many different types of lists” (page 20, line 20). Thus, one of ordinary skill in the art would clearly understand this to mean more than merely determining whether the list is bulleted or not. Accordingly, claim 4 is believed to be allowable.

Claim 5 was rejected because CWRU allegedly teaches “the creation of various list types and the separate storing of those lists.” Claim 5 is believed to be allowable for at least the reasons given above for claim 4. As stated above with respect to claim 1, the asserted reference fails to perform mapping. Accordingly, claim 5 is believed to be allowable.

Claim 6 was rejected because CWRU allegedly teaches “the creation of various list types and the separate storing of those lists.” Claim 6 is believed to be allowable for at least the reasons given above for claim 1. In addition, applicants traverse the rejection because CWRU fails to teach or suggest mapping properties by mapping a level tag that corresponds to the level of an item within a list. As stated above with respect to claim 1, the asserted reference fails to perform mapping.

In response to Applicants arguments, the Office Action asserts that the ordered list <OR> tag inherently maps the data to the appropriate level. Applicants traverse this assertion because the information for the level is coded by a person (not mapped) in HTML and decoded when the HTML document is parsed. Assuming, *arguendo*, that the information is somehow “mapped,” it is not mapped into at least one of a markup language element, an attribute, and/or a value. Accordingly, claim 6 is believed to be allowable.

Claim 7 is believed to be allowable for at least the reasons given above for claim 6.

Claim 8 is believed to be allowable for at least the reasons given above for claim 1.

Claim 9 is believed to be allowable for at least the reasons given above for claim 1. The Office Action further argues the cited art merely teaches humans coding the data, which may include lists, in ASCII, and opening it using another program. The cited art fails to teach where the “mapped properties of the list stored in the markup language document are understood by an application that understands the markup language when the list is not native to the application” because the properties are not mapped, but are coded by humans in HTML.

Also the Office Action argues the reference has been “corrected to accurately reflect the document at the time.” Notwithstanding the accuracy of the document, the integrity of the document has been impeached (as an evidentiary matter) by post-critical date “corrections.” Accordingly, the cited portions of the reference are not available as a 102(b) invalidating art because the cited portions contain post-critical date material that is not clearly identified by the Office Action. Accordingly, claim 9 is believed to be allowable.

Claim 10 is believed to be allowable for at least the reasons given above for claim 1.

Independent claim 11 was rejected under similar rationale to claim 1. The Office Action asserts the Applicants object to the reference because the reference “comes from archive.com.” In contrast, Applicants object to the reference because the cited art has been modified after the critical date (June 28, 2002, pursuant to 35 US 10(b)). For example, the cited “prior art,” spans

from pages 61-82 and contains code from the post-critical date archive machine as discussed above. As stated above, the burden of proof is on the USPTO to show which of the cited art is before or after the post-critical date (or not to cite post-critical date material).

Applicants still traverse these assertions because the reference is a tutorial for humans to hand-code lists in HTML, while the claim as amended recites a computer-implemented method for representing list definitions and instances in a markup language. The prior art teaches away from the prior art because HTML is a widely-used ML where lists are constrained by the facility of HTML for programming lists. In contrast, the claimed invention (for example) can allow applications having native MLs to correctly render lists that are authored by an application having a different native ML (see page 6, line 1 of the specification). If the application (having a different native ML) cannot render the list using the stored properties, the contents of the list can still be rendered in a rudimentary fashion, albeit without the benefit of all of the stored properties, and without parsing errors encountered from using properties not defined in the ML. As discussed above, the cited art does not teach or suggest mapping unique application properties of a list to a markup language, but rather merely describes how to generate lists within HTML. Thus the cited art does not show a computer-implemented method for representing list definitions in a markup language document.

Also in the response to applicants' previous arguments, the Office Action asserts the reference teaches the determining properties corresponding to a list that the limitation of "determined" as recited in claim 11, and suggests that this recitation of claim is read as merely identifying the list as bulleted, numbered, etc. Applicants note that the specification discusses determining list information, and that the list information that may include many different types

of lists, including those that are not natively supported by later applications parsing the document (page 20, lines 18-23).

The action further states that the cited art describes that the list is “determined” in that the type of list is registered as such in the HTML code and is capable of being reproduced as being unordered or ordered, numbered or bulleted, in accordance with the means for determining and storing such information and the HTML document. However, this teaches away from the claim as a whole because the list properties are determined (for the purpose of rendering the list) after the HTML document has been stored and retrieved, as opposed to determining the list properties of an application document as recited in claim 11. Moreover, the claim recites mapping the properties of the list into at least one of a markup language element, an attribute, and/or a value; and storing the properties of the list in the markup language document. Thus, since the properties of the cited art are determined from the HTML document, they are not mapped and stored to an HTML document as recited above. Accordingly, independent claim 11 is believed to be allowable.

Claim 12 is believed to be allowable for at least the reasons given above for claim 9.

Claim 13 is believed to be allowable for at least the reasons given above for claim 10.

Claim 14 is believed to be allowable for at least the reasons given above for claims 2 and 11.



Claim 15 is believed to be allowable for at least the reasons given above for claims 3 and 11.

**Claim Rejections under 35 U.S.C. § 103(a)**

The Office Action rejected claims 16-22 under 35 USC 103 (a) as being unpatentable over CWRU, and further in view of Lemay (Lemay, Laura, "Teach Yourself Web Publishing with HTML 4 in 14 Days, Professional Reference Edition," Second Edition, Sams.net Publishing, 1997, pages 778-789).

The Applicants traverse the rejection because both CWRU and Lemay, singly or in motivated combination, fail to teach or suggest determining properties relating to a list included in at least one section of an application document of an application having a native representation of the list that is not in a markup language. As the Office Action states on page 28 lines 1-2, both CWRU and Lemay are instructional texts on the use of HTML. Accordingly, claim 16 is believed to be allowable for at least the reasons given above. Dependent claims 17-22 are submitted to be allowable for at least the reasons as stated for claim 16 in combination with claims 12-15, 4, and 5, respectively.

With respect to claim 23, the Office Action did not reject the claim. However, the claim was rejected in the Examiner's interview. The claim has been amended herein to render the Examiner's arguments moot. Applicants submit the claim as amended is allowable.

In view of the foregoing amendments and remarks, all pending claims are believed to be allowable and the application is in condition for allowance. Therefore, a Notice of Allowance is respectfully requested. Should the Examiner have any further issues regarding this application, the Examiner is requested to contact the undersigned attorney for the applicants at the telephone number provided below.

Respectfully submitted,

MERCHANT & GOULD P.C.



Frank J. Bozzo

Registration No. 36,756

Direct Dial: 206.342.6294

MERCHANT & GOULD P.C.  
P. O. Box 2903  
Minneapolis, Minnesota 55402-0903  
206.342.6200

